

1  
2  
3  
4  
5  
6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 GIGI LESLIE TOKIN,

10 Plaintiff,

11 v.

12 NANCY BERRYHILL, Acting Commissioner  
13 of Social Security,

14 Defendants.

CASE NO. C17-1796 RSM

ORDER ADOPTING REPORT AND  
RECOMMENDATION ON PLAINTIFF'S  
COMPLAINT

15  
16 This matter is before the Court on Plaintiff's Objections to Report and Recommendation.  
17 Dkt. #17. The Report and Recommendation, prepared by United States Magistrate Judge J.  
18 Richard Creatura, recommends that the Court affirm the Commissioner of Social Security's  
19 denial of Plaintiff's application for supplemental security income. Dkt. #16. Defendant responds  
20 by merely adopting the arguments of Defendant's Brief (Dkt. #14) and the reasoning of the  
21 Report and Recommendation (Dkt. #16). Dkt. #18. For the following reasons, the Court adopts  
22 the Report and Recommendation.  
23

24 Plaintiff sought review of the Commissioner's decision on the basis that the decision of  
25 the Administrative Law Judge ("ALJ") failed to consider relevant testimony and that the legal  
26 error required reversal. Dkt. #10. The Report and Recommendation concludes that the ALJ may

1 have erred by failing to consider certain testimony, but that any error was harmless. Dkt. #16 at  
2 1–2. Plaintiff’s objection to the Report and Recommendation does not make any new arguments  
3 and instead seeks a *de novo* review of the Report and Recommendation. Dkt. #17 at 1 (citing 28  
4 U.S.C. § 636(b)(1)). Plaintiff does not point to any legal errors in the Report and  
5 Recommendation and merely disagrees with Magistrate Judge Creatura’s conclusions. Upon a  
6 thorough review of the record, the Court finds that Magistrate Judge Creatura’s Report and  
7 Recommendation correctly and completely considered the issues. For the reasons stated in the  
8 Report and Recommendation, the Court is not persuaded by Plaintiff’s rehashing of her earlier  
9 arguments.  
10

11 The Court, having reviewed the Report and Recommendation, the objections and  
12 briefing, and the remainder of the record, hereby finds and ORDERS that:

- 13 1. The Court ADOPTS the Report and Recommendation (Dkt. #16);
- 14 2. The Court AFFIRMS the decision of the Commissioner of Social Security pursuant to the  
15 fourth sentence of 42 U.S.C. § 405(g); and
- 16 3. This matter is CLOSED.  
17

18 Dated this 10<sup>th</sup> day of January 2019.

19  
20 

21 RICARDO S. MARTINEZ  
22 CHIEF UNITED STATES DISTRICT JUDGE  
23  
24  
25  
26